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(590.049)

**REMARKS**

In the Office Action dated January 10, 2005, pending Claims 1-16 were rejected and the rejection made final. In response Applicants have filed herewith a Request for Continued Examination and the Office is respectfully requested to reconsider the rejections presented in the Office Action in light of the following remarks.

Applicant and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. On April 27, 2005, Applicant's counsel conducted a telephone interview with the Examiner during which the present invention and the Simonoff reference were discussed. No agreement was reached at that time with respect to the claims, however, it was agreed to conduct another interview to further discuss the reference and, particularly, the allowability of Claims 9 and 16. On May 4, 2005, a second telephone interview was conducted with the Examiner during which the present invention and the Simonoff reference were again discussed, as well as the allowability of Claims 9 and 16. Unfortunately, no agreement could be reached during the interview with respect to the claims.

Claims 1-16 were pending in the instant application at the time of the outstanding Office Action. Claims 1, 8, 9, 17 and 18 are independent claims; the remaining claims are dependent claims. Claims 9 and 16 have been cancelled and Claims 1, 6, 8, 10, 13, and 14 have been amended. Claims 17 and 18 are newly presented and incorporate the subject matter of now cancelled Claims 9 and 16. Applicants intend no change in the scope of the claims by the changes made by this amendment. It should be noted these

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amendments are not in acquiescence of the Office's position on allowability of the claims, but merely to expedite prosecution.

Claim 10 stands rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 1, 2, 4, 5, 7, 9, 11, 12, and 16 stand rejected under 35 USC 102(e) as being anticipated by Simonoff. Claims 3, 8, 10, 13 and 15 stand rejected under 35 USC 103(a) as being unpatentable over Simonoff in view of Suda. Claims 6 and 14 stand rejected under 35 USC 103(a) as being unpatentable over Simonoff in view of Itakura.

#### **Rejections Under 35 USC 112**

Claim 10 has been amended to address the Examiner's concerns and withdrawal of the rejection is, therefore, requested.

#### **Rejections Under 35 USC 102(e)**

Broadly speaking, the present invention includes at least two general embodiments: (1) a method and/or process for displaying the identification of the owner of a collaboration work object through the user's focusing upon the work object itself and (2) a method and/or process for the identification of work objects created during a collaboration work session through a user's focusing upon a particular user of the collaboration work area. In some ways it may be helpful to think of these two embodiments as providing a collaboration work user with methods for obtaining the

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opposite information. In response to the Applicants' argument filed November 3, 2004, against anticipation, the Office stated,

Simonoff teaches each displayed object having a "wrapper" around it. This wrapper contains owner identifier information such as "...the user and White Board client that created the wrapper object...". Thus, referring, back to col. 18, lines 12-31, when a user creates an object, such as a text object, to be displayed, the users is discriminated from owners of other test objects by means of the identifier contained within the objects wrapper.

Office Action dated January 10, 2005 (references omitted). The Examiner looks to Col. 16, lines 25-29; Col. 18, lines 12-31; and Col. 18, lines 32-36 for support of the anticipation rejection. Each section will be specifically addressed below, thus, demonstrating why the rejections should be withdrawn.

The Simonoff invention appears to allow collaboration work to be carried out by multiple users viewing a similar screen image or "White Board." Users may add objects to the screen as needed to work collaboratively. This process seems to be achieved by creating "wrappers" and "objects." An object is placed into a wrapper and then added to the White Board where it is viewed and interacted with by other client users collaborating via the White Board. Basically, "[t]he wrapper object tells the White Board the kind of object to display, its location, size and other characteristics," (Col. 16, lines 47-49), unlike the current invention, which, among other things, provides a user with a work object's owner's identity or provides a user with the identification of the work objects created by any particular user.

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The section of Column 16 referenced for support states, "[T]he wrapper includes a unique identifier so that the wrapper object can be locally identified, used by the local White Board client and globally identified to prevent collisions with other wrapper objects." (Col. 16, lines 25-29). This simply means that the wrapper is identified so that it can be placed onto the White Board without problem. This does not indicate that it is identified so that the creator of the object can be displayed to other users. Moreover, this section clearly fails to teach the identification of objects based upon the selection of a particular user.

The section of Column 18 referenced for support states:

It will be appreciated that the White Board contents can be changed simultaneously by multiple users with one exception. The wrapper around each object allows the White Board system to establish read/write privileges on objects to be displayed on the WhiteBoard. The text area object demonstrates this behavior. It permits ONLY the author who placed the text area on the White Board to type text into that particular text area object. All other users who are privileged to view the text area object may read but not modify the text area. In an exemplary case, a green boarder advantageously can be displayed around writeable text areas while a red border denotes read only text. Optionally, the White Board system can be made to pass write permission tokens around between the various White Board clients. In addition, the White Board system advantageously can provide a view only mode to facilitate teacher (lecture)/student relationships via the White Board system. The White Board system permits such a mode by making a web page with no writeable objects in the selection list available to all the "students."

As discussed above, the global key name associated with each wrapper object contains information regarding the user and White Board client that created that wrapper object; the object's wrapper also contains the name of the last user to modify the object.

(Col. 18, lines 12-36) This section indicates that every wrapper object contains information as to its creator, as well as information regarding changes to the object

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wrapper and the user that made the changes. Additionally, the wrapper object can be made to be "read" only so that persons accessing the White Board cannot edit particular objects, unless that are privileged to do so. Applying this to student-teacher sessions conducted on a website can be achieved by limiting students' ability to create objects, as well as their ability to edit such objects. However, and most importantly, the reference does not provide a process for displaying to other client users the identity of the user that made and modified an object as is the case with the current invention. At most, the invention displays the wrappers in a manner such that a user can ascertain those that are read-only from those that are not. Moreover, the invention again fails to come anywhere near teaching the embodiment of the current invention as provided in Claims 9 and 16, discussed above.

The stark contrast between Simonoff's use of wrappers containing information and the present invention becomes increasingly clear when consideration is given to the reasons provided in the Simonoff reference for having such information. Simonoff states that information related to a wrapper object is stored so that "[I]n order to insure traceability, i.e., the ability to retrace or recreate the steps by which the White Board display was generated, it is necessary to maintain a central logging and data storage capability." (Col. 17, lines 13-17) Additionally, every wrapper object is time stamped so that "[g]iven that information, it will be appreciated that a complete history may be logged and replayed. It will also be appreciated that each White Board client maintains its own unique copy of the White Board based on the user's maximum privilege." (Col. 17, lines 45-59) "This storage capability permits the user or system administrator to save

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the White Board session for later playback and/or critiquing.” (Col. 25, lines 29-31)

Finally, Simonoff, also, indicates that a “global key name” is associated with wrapper objects and known to other client computers connected to the White Board. (Col. 18; lines 65-67). Simonoff provides an example to facilitate understanding of it’s global key:

“When a user randomly selects an object on the White Board client, the White Board client looks up the object’s wrapper using the local hashcode of the object. When the object is modified, the White Board client extracts the global key name form the object’s wrapper and tells all of the privileged White Board clients that the object with that global key name was updated. A remote White Board client privileged to receive the update, will lookup it’s copy of the object’s wrapper using the global key name, make the update to the object, and then display the change on its White Board.” (Col. 19; lines 31-42).

Thus, White Board functionality depends upon maintaining certain information within the system. For example, if a user in the Simonoff invention joins the White Board after collaboration has already begun the user’s system will be able to update its display of the White Board so that it reflects the current state of collaboration between the users. (Col. 24, 55-66) None of the reasons provided in Simonoff supports reading the reference so that it anticipates the current invention, since none of the reasons support an interpretation of Simonoff as teaching the same elements as provided in the present invention.

As the Examiner is well aware, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference.” *E.g., Verdegaal Bros. v. Union Oil of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The above discussion demonstrates

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that Simonoff does not expressly teach all of the elements in the current invention. Nowhere, for example, in Simonoff has it been shown to expressly teach the use of node identification codes, object management tables, or user management tables as claimed in the present invention. Furthermore, the reference does not inherently anticipate the current invention as demonstrated by the discussion above regarding all of the reasons and uses for a wrapper and object in Simonoff, none of which suggests the present invention. It should also be noted "[t]hat a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic." MPEP 2112 (citing *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993)). "In relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art." *Ex parte Levy*, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) (emphasis in original). A rejection based on inherent anticipation of Simonoff over the present invention is improper where an examiner has not provided any rationale or evidence of such a rejection.

To summarize, as best understood the Simonoff invention appears to be a process allowing collaboration work to be carried out among multiple remote users through the creation of "wrappers" and "objects." Briefly stated, these objects can be placed within the wrappers and shared among the various users on a common "White Board." To this end, additional information is stored within the wrapper, including a global key name, user identification, and a history of user modifications to the object. This information is

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stored for several purposes: to ensure that objects can be placed into the session without collision; to recreate a collaborative session, i.e., playback a session for critique; and to ensure that users entering a session at different times can update their collaborative work area according to the current condition. The Simonoff reference, however, never teaches an invention that provides the actual user with information as to the creator of particular objects. Certainly it does not provide a process for allowing users the ability to obtain and display an identification of the work objects created by selecting a particular collaboration user. For these reasons, Simonoff does not teach all of the elements in the present invention. As such Simonoff does not anticipate the invention and the 35 USC 102(e) rejections should be withdrawn.

#### Rejections Under 35 USC 103

The Office also rejected certain claims under 35 USC 103(a) over Simonoff in combination with various references. Regarding Simonoff in view of Suda, the Office has failed to find the Applicant's argument regarding a lack of motivation to combine the references to be persuasive, because "[m]odifying Simonff with the teachings of Suda would have been obvious to one of ordinary skill in the art, because Simonoff attempts to provide a secure means for identifying clients in a collaborated work area. The teachings of Suda provide an effective alternate, if not improved, means for Simonoff to do this." *Office Action* dated January 10, 2005, Page 3. The Applicant respectfully disagrees and asks for reconsideration.



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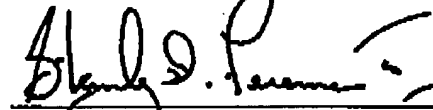
Suda appears to teach a method for watermarking digital media so as to prevent counterfeiting by hiding a watermark within certain digital frames by superposing the watermark. Suda is very different from either the current invention or Simonoff and not the same type of superpositioning of a user identification used for displaying what collaborative objects were created or by whom. Additionally, providing a hidden watermark superposition of user identification in a collaboration work area would be of no security benefit, since no threat of counterfeiting or the like is present in such an environment. The Applicant fails to understand how the combination of Simonoff and Suda would provide a security benefit. Furthermore, Simonoff already provides for security through the use of privilege levels, user authentication at login, and the ability to expel users from the collaborative work area by a Network Administrator. Therefore, the references in combination do not yield the current invention nor do they provide a motivation for their combination. Likewise, it is the Applicants' position that there is no motivation to combine the Simonoff and Itakura references or that such a combination would provide the current invention. A 35 USC 103(a) rejection requires that the combined references provide both the motivation to combine the references and an expectation of success. There is no teaching or suggestion in Suda or Itakura that would lead one of ordinary skill in the art to modify Simonoff to arrive at the present invention.

By virtue of dependence from what are believed to be allowable independent Claims 1, 8, 15, 17 and 18, it is respectfully submitted that Claims 2-7 and 10-14 are also presently allowable.

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In summary, it is respectfully submitted that the instant application, including Claims 1-18, is presently in condition for allowance. Notice to the effect is earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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